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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/798,937

03/11/2004

Richard Barnett Allen

AUS920030983US1

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08/10/2006

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EXAMINER

ONI, OLUBUSOLA

ART UNIT

PAPER NUMBER

2168

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,937

Applicant(s)

ALLEN ET AL.

Examiner

OLUBUSOLA ONI

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Application filed on 03/11/2004

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-8, 10-15, 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hegli et al. (Patent No. U.S. 6,606,659)

For claim 1, Hegli teaches "receiving a hierarchical data set of user-identified interests (Col. 4, lines 5-61); parsing the hierarchical data set; extracting one or more keyword attribute values from the hierarchical data set in response to the parsing of the data set and a pre-selected granularity value; applying extracted keyword values to filter content for delivery to a requesting Web client" (Col. 4, lines 20-39, Col. 8, lines 15-49)

For claim 3, Hegli teaches "pre-populating a Web content search form page using extracted keyword values; and returning the Web content search form page to the

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requesting Web client”(Col. 7, lines 38-44)

For claim 4, Hegli teaches “receiving the Web content search form from the Web client, wherein the received search form includes one or more pre-populated data, zero or more additional user-supplied search terms and at least one Boolean search indicator for determining the combination of search terms for performing a search”(Col. 8, lines 49-67, Col. 9, lines 1-46)

For claim 5, Hegli teaches “storing the hierarchical data set of user-identified interests in a database entry associated with the user; and personalizing the Web content delivered using the stored hierarchical data set”(Col. 2, lines 4-60, Col. 10, lines 12-45)

For claim 6, Hegli teaches “wherein, if no keyword attribute is associated with an interest, using a value attribute of the interest as a default keyword” (Col. 16, lines 1-32)

For claim 7, Hegli teaches “wherein the pre-selected granularity value corresponds to a root-to-leaf level in the hierarchical data set of user-identified interests”(Col. 15, lines 1-15)

For claims 8 and 15, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 1 and are similarly rejected.

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For claims 10 and 17, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 3 and are similarly rejected.

For claims 11 and 18, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 4 and are similarly rejected.

For claims 12 and 19, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 5 and are similarly rejected.

For claims 13 and 20, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 6 and are similarly rejected.

For claim 14, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 7 and is similarly rejected.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 2, 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hegli et al. (Patent No. U.S. 6,606,659) in the view of Serbinis et al. (Patent. No. U.S. 6,584,466)

For claim 2, Hegli does not explicitly teach “wherein the hierarchical data set comprises an XML”

However, Serbinis teaches “wherein the hierarchical data set comprises an XML” (Col. 15, lines 64-Col. 16, lines 1-9, fig.3)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hegli with Serbinis teaches of storing, retrieving or modifying documents of special interest to users, which could be retrieved as an XML document (Col. 2, lines 22-44, Col. 15, lines 64-Col. 16, lines 1-9).

For claims 9 and 16, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 2 and are similarly rejected.

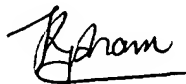
CONCLUSION

5. The following prior art cited on the PTO-892 form, not relied upon, is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-2738. The examiner can normally be reached on 7.30-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



KHANH B. PHAM
PRIMARY EXAMINER

OLUBUSOLA ONI
Examiner
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